TEW



Docket No.: 069804-0077

<u>PATENT</u>

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Customer Number: 20277

Katsuhiko HAYASHI, et al. : Confirmation Number: 5817

Application No.: 10/535,339 : Group Art Unit: 2873

: Allowed: December 15, 2005

Filed: May 18, 2005 : Examiner: Alicia M. Harrington

For: OPTICAL PICKUP LENS DEVICE AND INFORMATION RECORDING AND

REPRODUCING DEVICE USING THE SAME

REQUEST FOR ACKNOWLEDGEMENT OF THE CITED ART

Mail Stop ISSUE FEES Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

We are in receipt of the Notice of Allowance dated December 15, 2005.

In reviewing the file, it is noted that the Form 1449 enclosed with the Notice of Allowability has not been initialed completely; the last-listed foreign reference, "JP 2004-071134" has not been initialed. Enclosed are copies of the Information Disclosure Statement and the incompletely initialed PTO-1449.

Applicant hereby respectfully requests that:

- (1) the appropriately acknowledged PTO-1449 be furnished to Applicant; and
- (2) the record be clarified to confirm that the cited art has been considered and made of record.

No.: 10/535,339

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Michael E. Fogarty Registration No. 16,139

Please recognize our Customer No. 20277 as our correspondence address.

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Facsimile: 202.756.8087 **Date: January 6, 2006**

WDC99 1182747-1.069804.0077

Docket No.: 069804-00

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Customer Number: 20277

Katsuhiko HAYASHI, et al.

Confirmation Number: Not yet assigned

Application No.: Not yet assigned

Group Art Unit: Not yet assigned

Filed: May 18, 2005

Examiner: Not yet assigned

For: OPTICAL PICKUP LENS DEVICE AND INFORMATION RECORDING AND

REPRODUCING DEVICE USING THE SAME

INFORMATION DISCLOSURE STATEMENT

Mail Stop AMENDMENT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached form PTO-1449. It is respectfully requested that the references be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is being filed with the application and no certification or fee is required.

The relevance of the non-English language references JP 64-019316, JP 07-294707, and <u>JP 11-337818</u> is discussed in the present specification.

Not yet assigned

A copy of the foreign search report is attached for the Examiner's information. Please

note this is a PCT application in the entry of the National Phase in the U.S. and copies of the

references cited were transmitted by WIPO and are believed to be in the file of the above

identified application and readily available to the Examiner. Therefore it is believed that

Applicants have met all requirements regarding duty of disclosure under 37 CFR 1.56.

Acknowledgement and consideration of these documents are respectfully requested.

However, to ensure that these references are available to the Examiner, we are

providing copies of these references herewith. Since the Search Report was from the U.S. JPO

or EPO search authorities, copies of these references should have been supplied to the USPTO

under the trilateral agreement and are believed to be in the file of the above identified

application and readily available to the Examiner.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Michael E. Fogarty

Registration No. 36,139

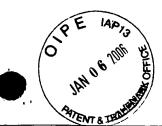
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Date: May 18, 2005

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| | | | | | APPLICANT Katsuhiko HAYASHI, et al. | | | | | |
| · | | (PT | O-1449) | | FILING DATE GROUP May 18, 2005 Not ye | | | 2873 et assigned | | |
| U.S. PATENT DOCUMENTS | | | | | | | | | | |
| EXAMINER'S INITIALS | CITE NO. | Document Number Number-Kind Codez (# known) | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | | Page Rele | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | | |
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| FOREIGN PATENT DOCUMENTS | | | | | | | | | | |
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| Q2/ | | | JP 64-019316 | 01/23/1989 | CANON INC | | | abstract | | |
| Sary | | JP 07-294707 ' | | 11/10/1995 | ASAHI OPTICAL CO LTD | | | abstract | | |
| | | JP 11-337818 | | 12/10/1999 | ASAHI OPTICAL CO LTD | | | abstract | | |
| Sol | | JP 2001-067701 | | 03/16/2001 | SONY CORP | | | abstract | | |
| SAL | | JP 2003-059080 JP 2003-084196 | | 02/28/2003 | MATSUSHITA ELECTRIC IND CO LTD | | | abstract | | |
| ~ | | | | 03/19/2003 | KONICA CORP MATSUSHITA ELECTRIC | | | abstract | | |
| | | L | JP 2004-071134 | 03/04/2004 | IND CO LTD | | | abstract | | |
| OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.) EXAMINER'S Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate) title of the item (book magazine). | | | | | | | | | | |
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^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.